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* SRI P. K. GOPALAKRISHNAN :—" On a point of personal explanation. Sir. The Hon. the Minister for Finance said that I was not happy about the Government themselves and so I was not happy about this measure, or for that matter, any other measures, that the Government might bring in. That is not the case. Whenever the Government bring in any progressive measure, we are happy about it. For example, the Government have introduced agricultural income-tax. We welcomed it. There are many more Bills to be taken up during this sitting and the Government will find us supporting them in respect of many of those Bills."

* THE HON. SRI C. SUBRAMANIAM :—" What I said was it was bad enough to be a Communist but for a lawyer to be a Communist was a worse thing." (Laughter.)

* SRI P. K. GOPALAKRISHNAN :—" Apart from the question whether to be a Communist is bad or good, the Hon. the Finance Minister said that I was a non-changing Communist. Sir, that is against Communism itself. The very fundamentals of Communism says that the only constant law is that changes constantly take place in society and therefore a non-changing Communist is not a Communist at all."

MR. SPEAKER :—" The question is—

' That the Madras Court Fees and Suits Valuation Bill, 1954 (L.A. Bill No. 25 of 1954) as amended, be passed into law.' "

The Motion was put and carried and the Bill was passed.

V.—GOVERNMENT MOTION.

MOTION UNDER RULE 21 (3) OF THE ASSEMBLY RULES *re* CHANGE IN THE ORDER OF BUSINESS.

THE HON. SRI C. SUBRAMANIAM :— " Sir, I move—

' *that under rule* 21 (3) *of the Assembly Rules, the order of business be changed and that the Madras City Civil Court (Amendment) Bill*, 1955, *be taken up now, instead of the Presidency Small Cause Courts (Madras Amendment) Bill*, 1955.'

We shall now take up the Madras City Civil Court (Amendment) Bill, 1955. The other Bill can be taken up to-morrow."

MR. SPEAKER :—" The question is—

' that under rule 21 (3) of the Assembly Rules, the order of business be changed and that the Madras City Civil Court (Amendment) Bill, 1955, be taken up now, instead of the Presidency Small Cause Courts (Madras Amendment) Bill, 1955 '."

The Motion was put and carried.

SRI M. KALYANASUNDARAM :—" Sir, before we proceed with the next item on the agenda, I want to make a submission. To-morrow is an important day for a section of the Hindus who believe in religion and religious worship. So, I would request that the timing for to-morrow be changed. I consulted the Hon. the Leader of the House. He is willing to have it changed from 8-30 a.m. to 11 a.m. But I think he has another important work at 12 noon to attend to. So, we may sit from 9 a.m. to 12 noon and then in the evening from 3 to 6."

THE HON. SRI C. SUBRAMANIAM :—" Yes, Sir. We need not have any night sitting."

SRI M. NARAYANA KURUP :—" The agenda has already been circulated."

MR. SPEAKER :—" I can change the timings at your request."

SRI M. NARAYANA KURUP :—" All the Members are not here. Some of them may not be aware of the change in business, etc."

MR. SPEAKER :—" The Press is here. Due publicity will be given by the Press."

SRI M. NARAYANA KURUP :—" I hope I shall not be taken as opposing the new timings."

* THE HON. SRI C. SUBRAMANIAM :—" I am sorry for the inconvenience and then if the hon. Member feels he was not informed about the change in the order of business now, let me inform him that it was generally agreed that the Madras City Civil Court (Amendment) Bill be taken up to-day. So, I do not think there is any difficulty about it."

9-40 p.m. SRI A. RAMASWAMI TEVAR :—" I respectfully submit that this kind of changing every now and then and not sticking to the original programme is certainly not conducive to the health of the Members, especially of those Members who come from far away, viz., from 200 or 300 miles. We are already in mid-summer dreams. So I request the Hon. Leader of the House to stick up to his original programme."

SRI M. NARAYANA KURUP :—" I remember the Hon. Speaker told, that the House would meet to-morrow from 9 to 12 in the morning and from 3 to 6 in the evening. But we have fixed the Estimates Committee meeting to-morrow at 4 o'clock in the evening."

THE HON. SRI C. SUBRAMANIAM :—" That can be postponed."

MR. SPEAKER :—" But we have to address for that the Chairman, Dr. U. Krishna Rao."

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SRI S. PANCHAKSHARAM :—" According to the original programme, to-morrow we would be having a morning session as well as a night session, for 2 hours. But according to the recent change in programme we are meeting from 9 a.m. to 12 noon and from 3 p.m. to 6 p.m. Are we having the night session also? "

MR. SPEAKER :—" No."

SRI S. PANCHAKSHARAM :—" Then Sri Ramaswamy Tevar is satisfied, Sir."

IV.—GOVERNMENT BILLS.—*cont*

(2) THE MADRAS CITY CIVIL COURT (AMENDMENT) BILL, 1955

* THE HON. SRI C. SUBRAMANIAM :—" Sir, I beg to introduce and move—

> '*That the Madras City Civil Court (Amendment) Bill* [a], 1955, *be taken into consideration.*'

" Hon. Members are aware that in three Presidency Towns of Bombay, Calcutta and Madras, the High Courts exercise original jurisdiction. But with regard to suits of lesser valuation of Rs. 2,500 and below, they have invested the jurisdiction in what are known as City Civil Courts by the Central Act VII of 1892. The original jurisdiction of Rs. 2,500 was later on increased to Rs. 10,000. Now we are proposing to increase it to Rs. 50,000 and below, so that a large number of cases pending now in the High Court and which come under the category of suits whose valuation is Rs. 50,000 and below, may be taken up by the City Civil Court and disposed of. We know the history of the original side of the High Court. Even though it has served a useful purpose, some think it is an anachronism and need not be retained. But I think we need not go so far as to abolish the original side entirely but have increased jurisdiction for the City Civil Court so much so a large number of cases will be filed before the City Civil Court and only very few important cases of value of more Rs. 50,000 would be brought before and decided by the High Court on the original side. There is a large pendency of suits in the High Court at present. I am told about 800 suits are pending in the High Court on the original side. If suits below Rs. 50,000 are transferred to the City Civil Court, more than 700 suits would get themselves transferred to the City Civil Court. Only about 100 and odd suits would then be pending in the High Court on the original side, which it would be possibe for the High Court to dispose of expeditiously.

" It may be possible then to have even a reduced number of Judges in the High Court in view of the fact that on the original side there would not be heavy work, once this Bill is passed and most of the cases whose value is less than Rs. 50,000 are decided by the City Civil Court. With reference to criminal jurisdiction

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[a] Published in the *Fort St. George Gazette* Extraordinary, dated 24th March 1955.